

REMARKS

Claims 1, 3-8, and 10-20 are presented for examination, of which claims 1 and 18 are independent. Favorable reconsideration and further examination are respectfully requested.

Specification

The disclosure was objected to because of the following alleged informalities:

- a. Page 7, lines 9 and 11 have a "c." before the phrases "2 times greater" and "4 times greater." According to the Office Action, "[i]t is unclear what the 'c.' means or implies."
- b. The table on page 13 includes numbers with the European convention. Applicant was asked to "[p]lease change or verify the number using the United States convention ..."

Applicant requests reconsideration and withdrawal of these objections in view of the amendments to pages 7 and 12 of the Specification, as shown above.

Claim Rejections

Claims 1-3, 12-14, 16, 17, and 20 were rejected as being anticipated by U.S. Patent No. 3,763,372 (Fedotowsky). Claims 1, and 4-6 were rejected as being anticipated by U.S. Patent No. 5,682,266 (Meyers). Claims 1, 2, 7, 8, and 18 were rejected as being anticipated by U.S. Patent No. 3,569,997 (Lehovec). Claims 9-11, and 19 were rejected over Lehovec in view of U.S. Patent No. 7,129,466 (Iwasaki). Claim 15 was rejected over Fedotowsky. As shown above Applicant has amended claim 1 to cover an optoelectronic component that includes a zone plate, and radiation-sensitive zones at varying distances from the optical element such that radiation-

sensitive zones configured to detect shorter wavelengths of the electromagnetic radiation are at greater distances from the optical element compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation. In view of these amendments, withdrawal of the art rejections is respectfully requested.

In this regard, the Office Action (page 10) apparently equates the integrated electro-optical structure described by Lebovec to the optoelectronic component of the claims. The Office Action further suggests that it would have been obvious, in view of Iwasaki, to modify Lebovec to include multiple, stacked radiation sensitive zones such that radiation-sensitive zones configured to detect shorter wavelengths of the electromagnetic radiation are at greater distances from the optical element compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation.

As correctly indicated at page 10 of the Office Action, Lebovec does not disclose or suggest radiation sensitive zones, in which radiation sensitive zones configured to detect shorter wavelengths are at greater distances from the optical element compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation. Iwasaki was cited to make up for the deficiency of Lahovec.

Iwasaki describes a stacked-type color separation image pickup device in which light receiving parts 101, 102 and 103 sensitive to green, blue and red, respectively, are stacked. (See, e.g., Iwasaki at col. 5, lines 43-46). However, there is no disclosure or suggestion in Iwasaki to arrange the light receiving parts, which the Office Action apparently equates with the radiation-sensitive zones of the claims, in any particular order with respect to an optical element. On the contrary, Iwasaki does not disclose or suggest the use of any optical element. Nor does Iwasaki

indicate that such an arrangement would be in any way beneficial. Nor would a person of ordinary skill in the art have modified Iwasaki's device in a way to provide such an arrangement.

With regard to Iwasaki's Figs. 5A-5E, Iwasaki clearly suggests that amongst all possibilities of arranging the light receiving parts, the configurations shown in Figs. 5A and 5B are preferred. (See, e.g., id. at col. 7, lines 38-45; see also id. at col. 8, lines 35-42). For example, Iwasaki states at col. 7, lines 38-45:

For the structure in which light-receiving devices of three primary colors of R, G and B are stacked as an image pickup device, those shown in FIGS. 5A to 5B can be considered. Among them, the structure in which the green light-receiving part is placed in the first layer as shown in FIGS. 5A and 5B can advantageously increase the sensitivity in green of high visual sensitivity. (Emphasis added).

Iwasaki's Figs. 5A and 5B show configurations in which the light-receiving part for green light is arranged on top of the red and blue light receiving parts; i.e., in both cases the light receiving part for red light (long wavelength) is arranged below the light receiving part for green light (shorter wavelength), which is in contrast to the claimed configuration. Thus, it would seem to be contrary to the teachings of Iwasaki to arrange Iwasaki's light receiving parts in such a manner as to read on the arrangement of the radiation-sensitive zones of Applicant's claims. Accordingly, even if Lehovec were combined with Iwasaki, the resulting hypothetical combination would fail to disclose or to suggest the foregoing features of the claims.

The remaining art (e.g., Fedotowsky and Meyers) has not been cited for, nor does it show an optoelectronic component that includes an optical element that comprises a zone plate, and a plurality of radiation-sensitive zones at varying distances from the optical element such that

radiation-sensitive zones configured to detect shorter wavelengths of the electromagnetic radiation are disposed at greater distances from the optical element compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation.

Accordingly, claim 1 is believed to be patentable.

Independent claim 18, as currently amended, covers methods that include "using a zone plate to focus electromagnetic radiation into a plurality of radiation-sensitive zones of a radiation-detecting semiconductor device, wherein the plurality of radiation-sensitive zones are arranged at varying distances from the zone plate such that radiation-sensitive zones configured to detect shorter wavelengths of the electromagnetic radiation are disposed at greater distances from the zone plate compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation." As discussed above, the cited art, whether taken alone or in any proper combination, fails to disclose or suggest "a plurality of radiation-sensitive zones at varying distances from [a zone plate] such that radiation-sensitive zones configured to detect shorter wavelengths of the electromagnetic radiation are disposed at greater distances from the [zone plate] compared to radiation-sensitive zones configured to detect longer wavelengths of the electromagnetic radiation." Accordingly, claim 18 is believed to be patentable for at least the same reasons as set forth above.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please charge any additional fees, not already covered by check, or credit any overpayment, to deposit account 06-1050, referencing Attorney Docket No. 14603-022US1.

Respectfully submitted,

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